

**COMMITTEE ON BILLS ON SECOND READING**

**December 15, 1998**

**5:45 PM**

Chairman Wihby called the meeting to order.

The Clerk called the roll.

**Present:** Aldermen Wihby, Sysyn, Shea, Cashin

**Absent:** Alderman Klock

**Messrs:** R. MacKenzie, K. Sullivan

Chairman Wihby addressed Item 3 of the agenda:

Ordinance amendments:

“Amending the Code of Ordinances of the City of Manchester by deleting a portion of 110.02(C), License and Business Regulations, providing for changes in licensing regulations.”

“Amending the code of Ordinances of the City of Manchester by repealing Chapter 116, Alcoholic Beverages, providing for local regulation of establishments selling, dispensing, or distributing alcoholic beverages.”

“Forbidding the Possession of a Dangerous Weapon on School Property.”

“Authorizing the Mayor to dispose of certain tax deeded property known as Map 222, Lot 52 in the vicinity of River Road and Chestnut Street.”

“Authorizing the Mayor to dispose of certain tax deeded property known as Map 222, Lot 79 in the vicinity of River Road and Chestnut Street.”

“To establish means to prevent, prohibit and remove graffiti from structures and surfaces on public and private property in the City of Manchester.”

On motion of Alderman Cashin, duly seconded by Alderman Shea, it was voted that the ordinance amendments ought to pass.

### **TABLED ITEMS**

5. Rezoning petition for property located on Holt Avenue submitted by Atty. Sullivan on behalf of Norris Viviers, President of Krysnor Homes, Inc. (Tabled 03/23/98)

On motion of Alderman Sysyn, duly seconded by Alderman Cashin, it was voted to remove this item from the table.

Chairman Wihby stated we tabled this item because we wanted to have something from Planning. We had some concerns regarding the use of the building. We can move this subject to the concerns of Bob MacKenzie.

Alderman Shea stated I would like Mr. MacKenzie to come in.

Chairman Wihby stated, Bob, you sent us a letter stating some suggestions that you wanted and my understanding is that the developer is willing to do that.

Mr. MacKenzie replied yes. Just to summarize, I am not crazy in our current situation to recommend a major multi-family rezoning, but in this particular case I suspect that perhaps it would be more harmful to the residential abutters that surround this property if it was developed in some type of industrial fashion. Harmful to the abutters themselves and potentially to the property values and that is why in this case weighing the particular issues, it might be better off with as a residential property.

Alderman Shea asked, Bob, last night there was a hearing up at Hillside about Candia Road. What impact would that have? The study that they had in terms of sidewalks and things like that.

Mr. MacKenzie answered I know that they are proposing sidewalks on Candia Road. This is still a little bit distant, although the traffic from this project would all go on Candia Road. Again, we looked at the traffic impact. There is some, but

relative to the project that is already there which is 144 units, the impact is going to be relatively small compared to that. There will be some.

Alderman Shea asked how about, like there are, I think Alderman Pinard has received some calls and I did receive a few calls from people on Waverly Street and so forth.

Mr. MacKenzie answered we have been concerned about people on Elton and Waverly although most people go down East Industrial Park Drive. There is some traffic through that residential neighborhood and I couldn't say there would be no traffic from this proposed project, but certainly if you had an industrial project on that piece of property the impact could be the same or perhaps even worse.

Ms. Sullivan stated in the letter that we sent to this Committee, we did state that the developer would take reasonable steps to direct traffic through East Industrial Park Drive through appropriate signage. In other words, directing people to the best we can to go out to East Industrial as opposed to cutting through.

Alderman Shea asked would that be a written stipulation that would be included in the restriction for this.

Chairman Wihby stated all they are going to do is put a sign up.

Ms. Sullivan stated I think as far as site plan approval given what we said in this letter the Planning Board can certainly make that a stipulation because we have already presented this list to Lt. Tessier.

Alderman Shea stated I know that when they had the Sundeen hearing, a lady did mention about the intensified implications of traffic that would impact that area and I think the lady resided around St. Pius and I am wondering if this would impact her as well. How many units are there, 18 to 20 units?

Ms. Sullivan replied yes, we agreed that it would not exceed 20 units and if I could just to follow-up on something that Mr. MacKenzie said this piece of land is basically undeveloped right now. It is not going to be a single family residence. It is going to be developed into something and I think that as Mr. MacKenzie told you the options, right now it is in an industrial park zone and the people in that neighborhood, it would be very surprising to me if they would want to see an industrial use there with the traffic that would generate and have partial development there as opposed to having what is a small 20 unit maximum townhouse project that conforms to the architecture in that area. At some point, that property is going to have to be developed into something and if it is not

developed as residential, I am just going to say to my client go find an industrial use. What is the point of owning a piece of property? So the options are residential or industrial, what makes sense for the neighborhood? The property is not going to stay undeveloped forever and I appreciate the concerns of some people, you know the woman in the St. Pius area, but frankly if you look at the traffic impact that Mr. MacKenzie anticipated on the 25 unit townhouse, it is 268 in excess of 25 units and it is going to be less than that. We are going to try to direct traffic down East Industrial Park Drive. I cannot guarantee that all the traffic will go there, but we will do our best with signage and to have a good project that conforms to the present nature of the neighborhood as opposed to putting up something of an industrial use.

Alderman Shea asked is this going to be two family or multi-family, the units.

Ms. Sullivan answered they are townhouse units so there would be one owner per unit.

Alderman Cashin asked how many bedrooms do you have.

Mr. MacKenzie answered there is no restriction on the bedrooms.

Alderman Cashin replied so you could have two, three or five if you wanted.

Ms. Sullivan stated with the large unit like you are stating, then you are cutting down the actual number of units that you build.

Alderman Cashin asked you could build 20 units with three bedrooms, right.

Ms. Sullivan answered yes.

Chairman Wihby asked you aren't getting an impact fee for schools.

Ms. Sullivan answered that is part of the City's...

Chairman Wihby asked how about signalization and stuff like that, are you willing to do anything for that.

Ms. Sullivan answered I know that that has been done with major projects where traffic impact studies have indicated that signalization is warranted. There is already signalization at East Industrial Park Drive and Candia Road. There is already signalization there.

Mr. MacKenzie stated the only other thing we will be doing is, the City, with some funding, will be reconstructing Candia Road and putting sidewalks in down that section all the way from Mammoth Road up to Hanover Street. I am not sure if all the funding is in place. The City has been trying to get some State funds as part of that.

Ms. Sullivan stated that could definitely be part of the site plan if that was to come up.

Mr. MacKenzie stated the Aldermen have, at times, negotiated that if you remember South Willow Street.

Chairman Wihby stated we have negotiated that ahead of time when they have actually given us some money for sidewalks or schools.

Alderman Shea stated depending upon how many units are built there, I know that you estimated .7% will attend the local schools, but if you have 20 units and three bedrooms you are probably going to have families in there so I don't know if there is an impact, as Alderman Wihby said, for schools. You know we are running into some problems with schools now.

Mr. MacKenzie stated yes, there is an impact fee for every new housing unit built. It is somewhere slightly under \$1,000 per home and that money is going towards the construction of the middle school and once that is complete, it will go toward the bond. I do know that that will help this particular area because next year the sixth graders from Weston School will be going to the new middle school which will help Weston which is fairly crowded at this point. The new middle school will help that particular elementary school.

Chairman Wihby asked, the signals, we put those up because people donated right. We collected from a few different people and what normally happens is everyone pays their fair share of the lights. Once it is paid in full, what happens? Nobody has to pay anymore because they are up or do you give back money because there was more money collected or what do you do?

Mr. MacKenzie answered everybody in development to the point of installation contributes to those lights at East Industrial Park Drive and Candia Road. After that point, I think the City bonded the balance of that so the City is still paying off a portion of that. There was not enough money to fund, from private developers, to fund the entire amount of those signals as I remember.

Chairman Wihby asked so is that something you (Ms. Sullivan) are willing to do or not willing to do.

Ms. Sullivan answered you know, Alderman, this is the first time this has come up as a suggestion. This matter has been before the Board since September of last year and this is the first time this suggestion has been raised.

Chairman Wihby asked so no comment.

Ms. Sullivan answered more of a frustration level. As I said, this has been pending before the Board for over a year now and to have this come up tonight, although I understand it is your prerogative and this is something that the Planning Board calls for site plan approval as opposed to doing it at a rezoning level.

Chairman Wihby stated I am just asking if you are willing to...if the Planning Board recommended it would you do it or not.

Ms. Sullivan replied obviously if the Planning Board recommended it, it is something that we would take a look at.

Chairman Wihby asked is that good enough, the recommending.

Alderman Shea stated can you repeat that, I did not catch what you were saying.

Chairman Wihby stated as far as giving back something, donating, or doing something for the signalization that was done down there. We have had other developments that usually give us something. The Mall gave us the stuff on Mammoth Road.

Mr. MacKenzie stated all of the businesses in the South Willow Street area have made traffic type of contributions to help make improvements on South Willow Street and that has worked fairly well.

Chairman Wihby asked is that something that the Planning Board, would you go there and do it subject to paying a fee.

Mr. MacKenzie answered that has been, except for a couple of cases when the Mall came in to expand their rezoning and they did make major improvements off-site and the property down where Pizzeria Uno is, that was negotiated during the rezoning process. All the others were actually handled at the Planning Board level. The Planning Board tries to keep a relatively fair consistency so they didn't charge one developer more than the other.

Chairman Wihby asked so it is something that could be done and something that you are open to discussing.

Ms. Sullivan answered yes and also as was pointed out at one of the previous meetings, there is already the impact fee and I can't remember what the fee is per unit but it will add up to a substantial fee.

Alderman Cashin stated, Kathy, this is presently industrial right.

Ms. Sullivan replied it is primarily industrial, there is a sliver...

Alderman Cashin interjected surrounded by residential.

Ms. Sullivan responded yes and there is a little sliver that is residential.

Alderman Cashin asked so if this isn't approved, you are going to wind up with some industrial something there, like a body shop, or whatever in the middle of a residential area is that right.

Ms. Sullivan answered that is correct, Alderman, and I am really looking forward to go before the Planning Board with all the neighbors screaming about an industrial use.

Alderman Cashin moved to approve the rezoning petition with the understanding that the developer will go before the Planning Board and that some additional traffic lighting, etc. may be required. Alderman Sysyn duly seconded the motion. Chairman Wihby called for a vote. Alderman Shea being duly recorded in opposition, the motion carried.

4. Human Resources Ordinances:

“Amending Sections 33.024 and 33.025 (Airport Assistant Maintenance Supervisor, Airport Maintenance Foreman, Senior Auditor, Victim Witness Advocate) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024 and 33.025 (Building and Asbestos Program Supervisor, and Information Support Specialist) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025, and 33.026 (Airport Assistant Director for Public Relations and Marketing, Motor Vehicle Prosecutor, Municipal Communication Superintendent, Parks Maintenance Ski/Aquatic Supervisor, Public Health Nurse Supervisor, Grants Administrator, Waste Water Treatment Plant Maintenance Assistant Supervisor and Senior Auditor) of the Code of Ordinances of the City of Manchester.”

On motion of Alderman Sysyn, duly seconded by Alderman Wihby, it was voted to remove this item from the table.

On motion of Alderman Cashin, duly seconded by Alderman Sysyn, it was voted to receive and file this item.

There being no further business to come before the Committee, on motion of Alderman Shea, duly seconded by Alderman Sysyn, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee